Amendments to the Claims:

Listing of the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (currently amended) A ~~non-human~~ transgenic mouse that comprises brain tumor cells that do not express glial fibrillary acidic protein, S-100, synaptophysin and neuron-specific enolase ~~mammal whose~~ and a genome that comprises a transgene comprising~~: a promoter comprising the nuclear factor binding region of the RR2 cis acting element of an~~ a mouse FGF1B promoter or human FGF1B promoter~~, and~~ operably linked to a DNA fragment comprising a sequence encoding the SV40 large T antigen~~, wherein said promoter is operably linked to said DNA fragment, and wherein said mammal comprises a~~ brain ~~tumor whose cells lack immunodetectable levels of glial fibrillary acidic protein, S-100, synaptophysin and neuron-specific enolase~~.

2-4 canceled

5. (currently amended) The transgenic ~~mammal~~ mouse of claim ~~2~~ 1, wherein the promoter comprises nucleotide -540 through nucleotide +31 of the human FGF1B promoter, and wherein nucleotides -540 to +31 of the human FGF1B promoter are the same as nucleotide 10 to nucleotide 580 of SEQ ID ~~NO.~~ NO: 2.

6. (currently amended) The transgenic ~~mammal of claim 2 wherein the promoter is a chimeric promoter and comprises a heterologous proximal promoter operably linked to the nuclear factor binding region of the RR2 cis acting element of an FGF1B promoter~~ mouse of claim 1, wherein the promoter comprises nucleotide 10 to nucleotide 580 of SEQ ID NO: 2, and wherein the DNA fragment comprises nucleotides 5171-2533 of the SV40 immediate early gene.

7-14 (canceled)

15. (currently amended) A method for identifying a drug which is effective at inhibiting ~~of the~~ growth of brain tumors in the transgenic mouse of claim 1, wherein said brain tumors

comprise cells that do not express glial fibrillary acidic protein, S-100, synaptophysin and neuron-specific enolase, ~~a mammal~~, the method comprising:

a) administering a candidate drug to the transgenic mouse ~~mammal~~ of claim 1; and

b) assaying for the growth of said brain tumors in said transgenic mouse ~~mammal~~, wherein an inhibition of growth of said brain tumors in said mouse ~~mamma~~l as compared to transgenic ~~mammals~~ mice of claim 1 which have not received the candidate drug indicates that said candidate drug is effective at inhibiting the growth of said brain tumors in said transgenic mouse ~~mammals, or prolonged the survival time in treated transgenic mammals than the untreated, or placebo-treated mammals~~.

16. (currently amended) A tumor cell line derived from the tumor cells of the transgenic ~~mamma~~l mouse of claim 1.

17. (currently amended) The tumor cell line of claim 16, wherein the genome of said transgenic ~~mammal is a~~ mouse comprises a transgene comprising nucleotide 10 to nucleotide 580 of SEQ ID NO: 2.

18. (currently amended) The tumor cell line of claim 16, wherein the genome of said transgenic mouse comprises a transgene comprising nucleotide 43 to nucleotide 580 of SEQ ID NO: 2 ~~17 wherein the genome of the transgenic mouse comprises a transgene which comprises a promoter derived from the human FGF-1B promoter and comprises in order the RR2 cis-acting element, the RR1 cis acting element, and the proximal promoter of the human FGF1B promoter~~.

19. (currently amended) The tumor cell line of claim ~~18~~ 16, wherein the cell line has ATCC Patent Deposit Designation No. PTA-3661.

20-39 canceled

40. (currently amended) The transgenic ~~animal of claim 20~~ mouse of claim 1, wherein the sequence of the promoter is set forth in SEQ ID NO. 3.

41. (new) The transgenic mouse of claim 1, wherein the promoter comprises nucleotide 43 to nucleotide 580 of SEQ ID NO: 2, and wherein the DNA fragment comprises nucleotides 5171-2533 of the SV40 immediate early gene.

42. (new) The method of claim 15, wherein the candidate drug is administered to the transgenic mouse intracerebrally or by intravenous injection.